

REMARKS

Summary of Office Action

Claims 3-5 and 10 stand objected to for allegedly reciting elements not found in their respective base claims.

Claims 1-4 and 9 stand rejected under 35 U.S.C. §102(e) as being anticipated by Aoki (US Publication 2004/0061813).

Claims 5, 10, 11, and 15-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Shiotani et al. (JP 2001-338512).

Claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Nakano (US Publication 2003/0053008).

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Matsuda et al. (US Publication 2002/0167626).

Claims 12 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Shiotani et al. further in view of Nakano.

Claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Shiotani et al. further in view of Matsuda et al.

Summary of Amendment

Claims 3, 4, and 10 were amended to address the informalities raised in the objection. Claims 2 and 11 were amended to correct minor spelling errors. No new matter has been entered. Accordingly, claims 1-16 remain pending for further consideration.

Claim Objections

Claims 3-5 and 10 stand objected to for allegedly reciting elements not found in their respective base claims. Claims 3, 4, and 10 have been amended in the manner considered by the Examiner as stated in the Office Action. Therefore, Applicant respectfully asserts that no new matter or issues have been introduced by this amendment. Hence, Applicant respectfully requests that the objection be withdrawn.

All Claims Define Allowable Subject Matter

Claims 1-4 and 9 stand rejected under 35 U.S.C. §102(e) as being anticipated by Aoki (US Publication 2004/0061813), claims 5, 10, 11, and 15-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Shiotani et al. (JP 2001-338512), claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Nakano (US Publication 2003/0053008), claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Matsuda et al. (US Publication 2002/0167626), claims 12 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Shiotani et al. further in view of Nakano, and claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki in view of Shiotani et al. further in view of Matsuda et al. Applicant respectfully traverses these rejections on grounds that none of the applied references, whether taken individually or in combination, teaches or suggests the features recited by claims 1-16 for the following reasons.

Firstly, the Office Action refers to Japanese patent publication 2001-338512 as “Shioya et al.” It is noted that the first listed inventor in JP 2001-338512 is to Takeshi SHIOTANI.

Further, none of the references cited on PTO Form 892 is listed as “Shioya.” Therefore, for purposes of this response, the rejections based on Shioya et al. will be construed as rejections based on JP 2001-338512 to Shiotani et al.

All of the rejections made in the Office Action are based, in part, on primary reference Aoki (US Pub. 2004/0061813). Applicant respectfully asserts that Aoki is not “prior” art. The present application claims priority to Korean Patent Application 2003-0027784 filed with the Korean Patent Office on April 30, 2003. For purposes §102(e) analysis, Aoki has an effective filing date of September 17, 2003. Applicant submits herewith a certified English translation of Korean Patent Application 2003-0027784 to perfect the claimed priority. Hence, Applicant respectfully asserts that Aoki is not prior art and therefore cannot be applied in rejecting claims 1-16. Since all of the rejections are based on Aoki as either a sole reference (i.e., §102 rejection) or a primary reference (i.e., §103 rejection), Applicant respectfully asserts that none of the rejections are applicable to claims 1-16 as presented. Therefore, Applicant respectfully requests that the rejections be withdrawn.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants’ undersigned representative to expedite prosecution.


If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time

under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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By: 
Kyle J. Choi
Reg. No. 41,480

Customer No.: 009626
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202-739-3000
Facsimile: 202-739-3001